

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... DEC 10 1979

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... DEC 10 1979 under 38366

The applicant..... W.H. Gibbs Co. c/o Boyack Surveying, Inc.

515 South Fifth Street, of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make.... application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Incorporated in Elko, Nevada on August 18, 1960

1. The source of the proposed appropriation is..... Spring No. 2
Name of stream, lake or other source.

2. The amount of water applied for is..... 0.05 cfssecond-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for..... Stockwater
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered)..... 500-1000 Cattle

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T.42N.,
R.60E., MDB&M, at a point from which the E $\frac{1}{4}$ corner of said section
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
1 bears N 35°06'15" 2166.14 feet.
it should be stated.

6. Place of use SE $\frac{1}{4}$ Section 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Describe by legal subdivision, if on unsurveyed land it should be so stated.
Section 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 all in T.42N., R.60E., MDB&M

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Improve spring, pipeline and troughs.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$5,000
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

These waters are to be co-mongled with water from accompanying application for Spring No. 1 and Horizontal Well No. 5 (Application No. 38368)

Applicant W.H. Gibbs Co.

By s/ Alan S. Boyack
515 South Fifth Street
Elko, Nevada 89801

Compared lp/jk

DENIAL OF STATE ENGINEER

deny
This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ the same, subject to the following limitations and conditions:

Applications 37821, 37822, 37823, 37824, 37826, 37827, 37828, 37832, 37833, 37842, 37845, 37846, 37847, 37849, 38140, 39093, 39094, 39095, 39096, 39097, 39098, 39099, 39100, 39101, 39103, 39949, 39950, 44026, 44357, 44358, 44359, 44360, 44361, 44362, 44363, 46823, 46824, 47438, 47491 and 47492 are hereby denied on the grounds that the Humboldt River and its tributaries are fully appropriated and to approve said applications would impair the value of existing decreed rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed..... my office, this 7th day of December
Cultural map filed.....
Certificate No..... Issued..... A.D. 1995

[Signature]
State Engineer